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17 **UNITED STATES DISTRICT COURT**  
18 **NORTHERN DISTRICT OF CALIFORNIA**  
19 **SAN FRANCISCO DIVISION**

20 AMERICAN FEDERATION OF  
21 GOVERNMENT EMPLOYEES, AFL-CIO, et  
al.,

22 Plaintiffs,

23 v.

24 DONALD J. TRUMP, in his official capacity as  
25 President of the United States, et al.,

26 Defendants.  
27  
28

Case No.: 3:25-cv-03070-JD

**DECLARATION OF JESUS  
SORIANO**

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I, Jesus Soriano, declare as follows:

1. I am over 18 years of age and competent to give this declaration. This declaration is based on my personal knowledge, information, and belief.

2. I am a Program Director at the National Science Foundation (“NSF”), an independent federal agency. I have worked for NSF for 13 years. In my role, I recommend proposals to be funded to support groundbreaking research and emerging technologies.

3. I am the President of the American Federation of Government Employees Local 3403 (“Local 3403” or the “Union”). I have been involved in Union leadership for 10 years.

4. Local 3403 represents a bargaining unit of approximately 1,746 civil servants who work for eight different agencies. Local 3403 represents 1,072 employees at NSF. These employees include Program Directors serving as Engineers, Educators, Mathematicians, Physical Scientists, and Biologists, Program Administrators, Science Assistants and Analysts, IT and Operations Specialists, Budget Analysts, and Technical Writers. They have duty stations in the District of Columbia and more than 34 different states. These bargaining unit members review research grant proposals and engage in grant and award management, budget and finance oversight perform administrative services, conduct outreach, and perform statistical analysis of publicly available information. The March 27, 2025 Executive Order titled “Exclusions from Federal Labor Management Relations Programs” (“Executive Order”) covers all 1,072 NSF employees in Local 3403’s bargaining unit. As none of the agencies or agency components covered by Local 3403 perform national security work, I was extremely surprised to see NSF listed in the Executive Order.

5. Local 3403’s mission is to advocate for and promote the interests of bargaining unit members in their federal employment, including working for a safe and fair workplace for all members. As the exclusive bargaining representative of these workers, the Union provides many services to all bargaining unit members. Core functions of the Union include collective bargaining with NSF to obtain a fair and reasonable collective bargaining agreement (“CBA”);

1 filing and negotiating grievances against the agency to enforce the terms and conditions of the  
2 CBA; pursuing arbitrations on behalf of workers to enforce the CBA; and providing other  
3 support, guidance, and resources to bargaining unit employees. Local 3403 advocates for  
4 extending to non-unit employees the same benefits it secures for unit-eligible employees in  
5 bargaining. This fosters cooperation among staff and increases efficiency and productivity  
6 across NSF. One of the Local's core principles is to serve not only its members, but NSF's  
7 mission as well.

8 6. The Executive Order will have an immediate adverse effect on the Union's ability  
9 to provide these services to NSF employees and to accomplish its mission.

10 7. If the Union is no longer the exclusive bargaining representative of the unit, the  
11 Union cannot enforce the CBA against the agency. The CBA, which is effective from November  
12 2022 to November 2026, provides important rights and protections to workers. For instance, the  
13 CBA:

- 14 a. Sets terms and conditions for working hours, overtime, sick leave, holidays, and  
15 paid time off for workers in the unit.
- 16 b. Imposes safety and health requirements to ensure the welfare of workers in their  
17 place of employment.
- 18 c. Establishes protections for workers regarding reduction-in-force ("RIF") actions  
19 and procedures.
- 20 d. Imposes procedures for and limitations on disciplinary and adverse actions against  
21 workers.
- 22 e. Provides for an Employee Assistance Program for individuals who have problems  
23 associated with alcohol, drug, marital, family, relationship, health, emotional, and  
24 other personal concerns.
- 25 f. Establishes grievance and arbitration procedures for employees and the Union to  
26 resolve disputes with the agency over employment matters.
- 27 g. Protects the privacy of employees in their off-duty time.

h. Makes official time available to Local 3403 representatives to negotiate collective bargaining agreements; represent workers in grievances, arbitrations, and FLRA proceedings; and collaborate with NSF management to implement new initiatives during the life of the CBA.

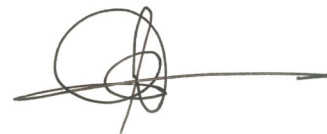
Without the Union to represent them and enforce the CBA, the workers will not have the benefit of those rights and protections going forward. I understand that NSF is also likely to rescind the CBA under the Executive Order.

8. The Union's staff and activities are funded through members' voluntary dues, and many Local 3403 members pay due through voluntary payroll deductions. If the Union can no longer receive dues through payroll deductions under the Executive Order, the Union's ability to function or provide any of its services or protection to the members will be severely impaired.

9. If Local 3403 officers can no longer make use of official time, it will make it virtually impossible for them to discharge their representational duties. As President, I routinely work an average of 120 hours per pay period, dedicating 30–40 hours to Union duties.

10. The Executive Order is chilling workers' speech and activity. Many of my colleagues engage in "self-censorship." I know firsthand that without the protections of the CBA and the Union, workers will be afraid to raise concerns over workplace conditions with the agency. Additionally, because this Executive Order targets federal unions and their employees, I am reluctant to criticize the administration or voice political views the administration may not approve of, for fear of further retaliation. I understand from my interactions with other federal employees that many of them feel the same way.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct. Executed April 1, 2025, in Alexandria, VA.



Jesus Soriano